IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.75566-M of 2006

DATE OF DECISION:05.03.2007

Deepak Parkash .....Petitioner

Versus

State of U.T., Chandigarh .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Bikramjit Singh, Advocate
for Shri H.S. Brar, Advocate
for the petitioner.

Shri Arvind Moudgil, Standing
Counsel for U.T., Chandigarh.

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Petitioner Deepak Parkash apprehending his arrest in a non-bailable offence in case FIR No. 349 dated 3.11.2006 under Section 379 IPC, registered at Police Station Sector 39, Chandigarh, has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

It is pleaded that a challan/ticket was issued for committing an offence under Motor Vehicle Act. The vehicle admittedly belonging to the petitioner was never taken in possession by the police and there is no memo of possession yet the present FIR has been lodged against the petitioner.

Counsel for the petitioner contends that in view of the order dated 1.12.2006, the petitioner has joined the investigation. This fact has not been disputed by the State Counsel.

In view of the above, the interim bail, granted vide order dated 1.12.2006 is made absolute subject to the same terms and conditions.

Disposed of accordingly.

March 05, 2007 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**